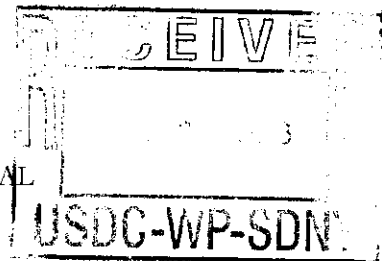




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

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MEMO ENDORSED

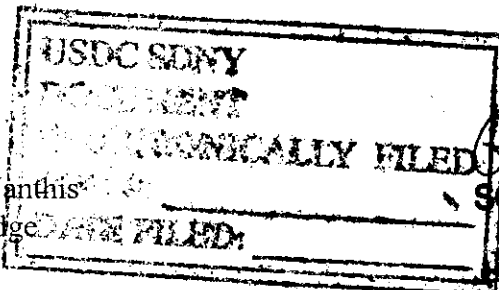
July 17, 2008

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

By Hand

The Honorable George A. Yanthis
United States Magistrate Judge
United States District Court
300 Quarropas Street
White Plains, NY 10601



Hon. George A. Yanthis
United States Magistrate Judge.

Re: John L. Peterec v. Kyle Kroeger, Joan Pugliesi, et al.,
08-Civ-01626 (CLB)(GAY)

Dear Judge Yanthis:

This office represents the defendants Kyle Kroeger and Joan Pugliesi in the above-referenced action. This letter requests an extension of time to respond to the amended complaint for the reasons stated below. Plaintiff consents to this request. No prior application for the relief requested herein has been made.

Defendants Kroeger and Pugliesi were served with a summons and amended complaint on July 9th and July 3rd, respectively, and our office just recently received their papers. The amended complaint is about 140 handwritten pages with approximately 150 pages of exhibits. The amended complaint includes an Order dated February 19, 2008 from the Honorable Kimba M. Wood which sets forth the manner in which plaintiff was to frame his amended complaint. In addition to speaking with our clients in this case, we need time to analyze Judge Wood's Order in conjunction with the amended complaint to determine both whether the amended complaint is in compliance with the said Order, the remaining issues, and if our office will either move to dismiss the amended complaint or answer.

Accordingly, we respectfully request an extension of time to answer, move or otherwise respond to the amended complaint on or before August 29, 2008.